

REMARKS

Claims 21, 25 and 31 are amended. Claims 21-31, as amended, remain in the application. No new matter is added by the amendments to the Claims.

The Rejections:

In the Office Action dated March 7, 2008, the Examiner rejected Claims 21-31 under 35 U.C. 103(a) as being unpatentable over Allen, et al. (US 6,000,505) and further in view of Brooks (US 6,898, 299).

Regarding Claim 21, the Examiner stated that Allen discloses a method of initiating a procedure within a building comprising the steps of:

- a. defining at least one initiating event for the procedure which event does not involve a person arriving at the building; [col. 3, lines 40-50 and col. 6, lines 50-64]
- b. defining at least one requirement for the procedure; [col. 3, lines 52-62 and col. 9, lines 25-30]
- c. defining at least one person to be authorized to perform the procedure; [col. 3, lines 1-3 and col. 20, lines 47-56]
- d. detecting the occurrence of the at least one initiating event wherein the at least one person does not define the at least one initiating event and does not cause the occurrence of the at least one initiating event; [col. 5, line 63 - col. 6, lines 17 and col. 13, lines 15-28]
- e. generating a virtual key [Brooks - col. 43, lines 8-22] for the at least one based on the at least one requirement detecting the occurrence of the at least one initiating event and prior to the at least one person arriving at the building; [col. 20, lines 2-5]
- f. transmitting virtual key to the at least one person; [Brooks - col. 50, lines 8-30]
- g. detecting use of the virtual key; [Brooks - col. 34, lines 28-38]
- h. checking the validity of the virtual key; and [Brooks - col. 28, lines 28-42 and col. 37, lines 12-27]
- i. initiating said procedure within the building if the validity check is positive; and [Brooks - col. 47, lines 45-60 and col. 49, lines 5-6]

j. performing said steps a. through i. in an access control computer system associated with the building. [col. 19, line 37 - col. 20, line 60]

The Examiner stated that the claimed initiating event can broadly be interpreted as to begin or trigger a function or event. Allen defines the initiating event as an emergency or fire/smoke condition causing a signal (col. 5, line 63 - col. 6, lines 17) to a building security station, to a fire department, and to an alarm system to alert or alarm a fire/smoke so that procedure(s) is initiated accordingly (col. 3, lines 3, lines 40-62 and col. 4, lines 37-49). A procedure can broadly be given as opening/closing predetermined doors, operation of fire doors, sounding alarms, elevator functions, etc. (col. 6, lines 50-64 and col. 9, lines 25-30). Allen discloses a signal control system that have a communication mechanism connectable to a remote communication system at a location remote from the building (i.e. fire department). The communication mechanism sends the detection signal and at least one status signals to the remote communication system to providing building status information to the location remote from the building that has detected an emergency condition in the building (col.5, line 63 - col.6, lines 17). Allen's invention reads the claimed invention that does not involve a person arriving at the building since fire/smoke is detected by sensing devices which then initiates an emergency or fire/smoke condition for procedures (as discussed above) within the building. As a result, the fire department personnel can monitor and control the building's status upon receiving the initial alarm signal and prior to arriving at the building to override elevators or door functions (col. 3, lines 1-6 and col. 19, line 37 - col. 20, line 40 and col. 20, lines 45-60). Hence, Allen reads on the limitations of steps a-e. However, Allen does not go into further details of generating virtual key based the requirement and steps f-i related to the generated virtual key.

According to the Examiner, Brooks discloses an invention pertaining to methods and apparatus for authorizing actions by an individual using a computer. The actions can include communication access, ATM machines, and location access (i.e. vault, room, building, compound, etc.) (col. 4, lines 41-65). The claimed virtual key can broadly interpret to a password, code, PIN or biometric signature that an authorized person can use to identify or verify themselves. Brooks discloses generating biometric patterns or biometric signatures for identification and verification using sensors where the biometric data can be placed onto a smart

card (col. 34, lines 28-38 and col. 43, lines 8-22) for the person to use when entering/arriving at the building (col. 33, lines 40-67 and col. 34, lines 30-38). The biometric can be verified to perform various actions for authorized persons only where such actions can be to open doors, access to the building, telephone box (col. 37, lines 12-27 and col. 47, lines 45-60). Thus, it would have been obvious for a person of ordinary skills in the art at the time of the invention to combine Allen with Brooks teaching the limitations of virtual key in steps e-i because the biometric signature (virtual key) enables authorization of building access (an action) by the individual (Brooks - col. 4, lines 40-57 and col. 37, lines 12-27 col. 47, lines 45-60 and col. 49, lines 5-6)

As per Claim 22, the Examiner stated see Brooks - col. 3, lines 8-22; discusses a step of assigning an encrypted code to the virtual key.

As per Claim 23, the Examiner stated see Brooks - col. 43, lines 8-22; discusses the steps of adding a signature to the virtual key and identifying a recipient of the transmitted virtual key by the signature.

As per Claim 24, the Examiner stated see Allen on col. 6, lines 50-64 and col. 9, lines 25-30; discusses defining different procedures for different initiating events.

As per Claim 25, the Examiner stated see Allen on col. 6, lines 50-64 and col. 9, lines 25-30; discusses defining different requirements for different procedures.

As per Claim 26, the Examiner stated see Allen on col. 6, lines 50-64 and col. 9, lines 25-30 and Brooks - col. 43, lines 8-22; discusses transmitting different virtual keys to said person for different initiating events.

As per Claim 27, the Examiner stated see discusses storing said virtual key partially or completely.

As per Claim 28, the Examiner stated see Brooks - col. 28, lines 28-42 and col. 37, lines 12-27; discusses the steps of identifying the at least one person with biometrics characteristics.

As per Claim 29, the Examiner stated see Allen on col. 5, line 63 - col. 6, line 64 and Brooks - col. 4, lines 41-65; discusses the method according to Claim 21, further comprising at least one of the steps of: initiating a control procedure of an elevator in the building; initiating a

medical assistance procedure; initiating a building cleaning procedure; and initiating a guest reception procedure.

As per Claim 30, the Examiner stated see Brooks - col. 34, lines 28-38 and col. 43, lines 8-22; discusses the step of transmitting the virtual key using wireless devices.

As per claim 31, the Examiner stated that Allen discloses a method of initiating a procedure within a building comprising the steps of:

- a. defining at least one initiating event for the procedure which event does not involve a person arriving at the building; [col. 3, lines 40-50 and col. 6, lines 50-64]
- b. defining at least one of a security requirement and an availability requirement for the procedure; [col. 3, lines 52-62 and col. 9, lines 25-30]
- c. defining at least one person to be authorized to perform the procedure; [col. 3, lines 1-3 and col. 20, lines 47-56]
- d. detecting the occurrence of the at least one initiating event wherein the at least one person does not define the at least one initiating event and does not cause the occurrence of the at least one initiating event; [col. 5, line 63 - col. 6, lines 17 and col. 13, lines 15-28]
- e. generating a virtual key [Brooks - col. 43, lines 8-22] for the at least one based on the at least one requirement detecting the occurrence of the at least one initiating event and prior to the at least one person arriving at the building; [col. 20, lines 2-5]
- f. transmitting virtual key to the at least one person; [Brooks - col. 50, lines 8-30]
- g. detecting use of the virtual key; [Brooks - col. 34, lines 28-38]
- h. checking the validity of the virtual key; and [Brooks - col. 28, lines 28-42 and col. 37, lines 12-27]
- i. initiating said procedure within the building if the validity check is positive; and [Brooks - col. 47, lines 45-60 and col. 49, lines 5-6]
- j. performing said steps a. through i. in an access control computer system associated with the building. [col. 19, line 37 - col. 20, line 60]

The Examiner stated that the claimed initiating event can broadly be interpreted as to begin or trigger a function or event. Allen defines the initiating event as an emergency or fire/smoke condition causing a signal (col. 5, line 63 - col. 6, lines 17) to a building security

station, to a fire department, and to an alarm system to alert or alarm a fire/smoke so that procedure(s) is initiated accordingly (col. 3, lines 3, lines 40-62 and col. 4, lines 37-49). A procedure can broadly be given as opening/closing predetermine(doors, operation of fire doors, sounding alarms, elevator functions, etc. (col. 6, lines 50-64 and col. 9, lines 25-30) Allen discloses a signal control system that have a communication mechanism connectable to a remote communication system at a location remote form the building (i.e. fire department). The communication mechanism sends the detection signal and at least one status signals to the remote communication system to providing building status information to the location remote from the building that has detected an emergency condition in the building (col. 5, line 63 - col. 6, lines 17). Allen's invention reads the claimed invention that does not involve a person arriving at the building since fire/smoke is detected by sensing devices which then initiates an emergency of fire/smoke condition for procedures (as discussed above) within the building. As a result, the fire department personnel can monitor and control the building's status upon receiving the initial alarm signal and prior to arriving at the building to override elevators or door functions (col. 3, lines 1-6 and col. 19, line 37 - col. 20, line 40 and col. 20, lines 45-60). Hence, Allen reads on the limitations of steps a-e. However, Allen does not go into further details of generating virtual key based the requirement and steps f-i related to the generated virtual key.

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combine Allen with Brooks teaching the limitations of virtual key in steps e-i because the biometric signature (virtual key) enables authorization of building access (an action) by the individual (Brooks - col. 4, lines 40-57 and col. 37, lines 12-27 col. 47, lines 45-60 and col. 49, lines 5-6)

Applicants' Response:

Allen refers to an elevator system operable as emergency egress and evacuation during a fire incident. Upon detection of a fire incident in a building, a communication mechanism sends a detection signal and a status signal to a remote fire department (col. 6, lines 1-7).

As stated by the Examiner on pages 4 and 8 of the Office Action, Allen does not show creation, transmission, detection and checking of a virtual key. Thus, Allen does not disclose the steps e. through j. of independent Claims 21 and 31.

Brooks teaches a method and an apparatus for authenticating an individual by means of biometric data which are verified upon e.g. depressing a door handle or placing a hand on a hand sensor. A door is unlocked after successful authentication (col. 33, lines 40-49).

Applicant disagrees with the Examiner's interpretation that Brooks discloses the steps e. "generating a virtual key" and f. "transmitting the virtual key" recited in Applicant's Claims 21 and 31. According to Brooks, biometric data of the individual are verified. For doing so, a biometric signature is measured and stored as a reference signature and an actual biometric signature is measured and compared with the stored reference signature. Brooks neither generates a biometric signature (Brooks measures an existing biometric signature of a person), nor transmits a biometric signature to an individual.

The person skilled in the art has no motivation to combine Allen and Brooks. Allen shows an automatic building evacuation system with a control unit programmed to automatically define an evacuation zone and to drive elevator cars to evacuate building occupants (col. 6, lines 18-35). For the building evacuation, the physical presence of firemen is not necessary (col. 7, lines 22-24). The fire department can override the emergency evacuation from a building lobby or from a fire alarm panel (col. 8, lines 12-14). Access to the lobby or the panel occurs by using the ASME A17.1 code required fire department key (col. 4, lines 10-24).

Brooks on the other hand unlocks a door after successful biometric authentication of an individual. There is no reason to individually authenticate firemen prior to fighting a fire in a building. Therefore, as neither Allen nor Brooks generate a virtual key or transmit a virtual key to a person, the method recited in Applicant's Claims 21-31 is not obvious.

Applicant amended Claim 21 to recite a security requirement instep b. as is recited in Claim 31. In addition, Claims 21 and 31 now both describe the initiating procedure of step i. in accordance with the description at Page 5, Lines 22-24 of the specification as filed.

In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.